

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION

HEADWATER RESEARCH LLC,

*Plaintiff,*

v.

T-MOBILE USA, INC. and SPRINT  
CORP.,

*Defendants.*

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CIVIL ACTION NO. 2:23-CV-379-JRG-RSP  
(LEAD CASE)

**ORDER**

Before the Court is Defendants' Unopposed Motion for Leave to Amend Invalidity Contentions. **Dkt. No. 128.** After consideration, and noting its unopposed nature, the Motion is **GRANTED.**

It is **ORDERED** that Defendants have leave to supplement their invalidity contentions to (1) include network-side technology identified in Headwater's infringement contentions, including the OTA/FOTA System and 3GPP System (collectively, the "Supplemental Art"); and (2) amend its Answer to include a prior commercial use defense under 35 U.S.C. § 273.

**SIGNED this 30th day of December, 2024.**

  
ROY S. PAYNE  
UNITED STATES MAGISTRATE JUDGE